

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1380

Introduced by Senator Escutia

February 18, 2004

An act to amend Section 60242 of, *and to add Section 60200.1 to*, the Education Code, relating to instruction, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1380, as amended, Escutia. Instructional materials.

Existing law requires the State Board of Education to adopt at least 5 separate basic instructional materials, as defined, for use in kindergarten and each of grades 1 to 8, inclusive, in language arts, mathematics, science, social science, bilingual or bicultural subjects, and any other subject, discipline, or interdisciplinary areas for which the state board determines the adoption of instructional materials to be necessary or desirable. Existing law requires the state board to ensure that basic instructional materials meet certain specified criteria.

Existing law establishes the State Instructional Materials Fund and continuously appropriates the money in the fund to the State Department of Education. A school district is authorized to use allowances received from the fund to purchase instructional materials ~~including supplementary and technology-based materials, from any source.~~

~~This bill would require that those supplementary and technology-based materials meet the same criteria as basic instructional materials.~~ *adopted by the state board, to purchase instructional materials from any source, to purchase tests, to bind basic textbooks, to fund in-service training related to instructional materials, and to*

purchase classroom library materials for kindergarten and grades 1 to 4, inclusive.

This bill would require the state board to annually solicit recommendations from school districts regarding the adoption of instructional materials. The bill would require the state board to adopt instructional materials recommended by a school district, charter school, or county office of education, if the state board finds that the recommendation contains certain specified criteria. The bill would also authorize a school district to use allowances received from the fund to purchase instructional materials adopted by the state board after recommendation by a school district. By expanding the purposes for which moneys from the fund may be used, the bill would make an appropriation.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—Section 60242 of the Education Code is~~
 2 SECTION 1. Section 60200.1 is added to the Education Code,
 3 to read:
 4 60200.1. (a) Commencing on January 1, 2006, the state
 5 board shall annually solicit recommendations from school
 6 districts regarding the adoption of instructional materials in those
 7 categories enumerated by subdivision (a) of Section 60200.
 8 (b) Instructional materials recommended by a school district
 9 shall be adopted if the state board finds that the recommendation
 10 demonstrates all of the following:
 11 (1) Alignment of the instructional materials to standards
 12 adopted by the state board for the category and grade level in
 13 which the instructional materials are to be used.
 14 (2) A basis of scientific evidence supporting the content and
 15 approach of the instructional materials. That evidence may
 16 include research studies conducted by the publisher that have been
 17 independently reviewed, evidence from federal clearinghouses, or
 18 refereed academic journals.
 19 (3) A narrative of the evaluation or piloting process, or both,
 20 of the school district, that led to the recommendation of the
 21 instructional materials, and an explanation for the

1 *recommendation of the school district that the instructional*
2 *materials are desirable and appropriate for use.*

3 (4) *A resolution of the governing board of the school district,*
4 *adopted in a public hearing, that approves of the use of the*
5 *instructional materials.*

6 (5) *Documentation from the publisher or manufacturer of the*
7 *instructional materials of compliance with the state board's*
8 *guidelines for social content.*

9 (c) *For purposes of this section, "school district" includes a*
10 *school district, charter school, and county office of education.*

11 SEC. 2. *Section 60242 of the Education Code is amended to*
12 *read:*

13 60242. (a) The state board shall encumber the fund for the
14 purpose of establishing an allowance for each school district,
15 which may reflect increases or decreases in enrollment, that the
16 district may use for the following purposes:

17 (1) To purchase instructional materials adopted by the state
18 board pursuant to Section 60200 *or* 60200.1 for kindergarten and
19 grades 1 to 8, inclusive, or by the governing board pursuant to
20 Section 60400 for grades 9 to 12, inclusive. A school district may
21 purchase with funds received pursuant to Chapter 3.25
22 (commencing with Section 60420) instructional materials for the
23 visual and performing arts, foreign language, health, or any other
24 curricular area if those materials are adopted by the state board
25 pursuant to Section 60200 *or* 60200.1 for kindergarten and grades
26 1 to 8, inclusive, or by the governing board pursuant to Section
27 60400 for grades 9 to 12, inclusive, and if the school district
28 certifies that it has provided each pupil with a standards-aligned
29 textbook or basic instructional materials in reading/language arts,
30 mathematics, history/social science, and science.

31 (2) To purchase, at the district's discretion, instructional
32 materials, including, but not limited to, supplementary
33 instructional materials and technology-based materials, from any
34 source.

35 (3) To purchase tests.

36 (4) To bind basic textbooks that are otherwise usable and are on
37 the most recent list of basic instructional materials adopted by the
38 state board and made available pursuant to Section 60200 *or*
39 60200.1.

1 (5) To fund in-service training related to instructional
2 materials.

3 (6) To purchase classroom library materials for kindergarten
4 and grades 1 to 4, inclusive.

5 (b) The state board shall specify the percentage of a district's
6 allowance that is authorized to be used for each of the purposes
7 identified in subdivision (a).

8 (c) Allowances established for school districts pursuant to this
9 section shall be apportioned in September of each fiscal year.

10 (d) (1) A school district that purchases classroom library
11 materials, shall, as a condition of receiving funding pursuant to this
12 article, develop a districtwide classroom library plan for
13 kindergarten and grades 1 to 4, inclusive, and shall receive
14 certification of the plan from the governing board of the school
15 district. A school district shall include in the plan a means of
16 preventing loss, damage, or destruction of the materials.

17 (2) In developing the plan required by paragraph (1), a school
18 district is encouraged to consult with school library media teachers
19 and primary grade teachers and to consider selections included in
20 the list of recommended books established pursuant to Section
21 19336. If a school library media teacher is not employed by the
22 school district, the district is encouraged to consult with a school
23 library media teacher employed by the local county office of
24 education in developing the plan.

25 (3) To the extent that a school district or county office of
26 education already has a plan meeting the criteria specified in
27 paragraphs (1) and (2), no new plan is required to establish
28 eligibility.

29 ~~amended to read:~~

30 ~~60242. (a) The state board shall encumber the fund for the~~
31 ~~purpose of establishing an allowance for each school district,~~
32 ~~which may reflect increases or decreases in enrollment, that the~~
33 ~~district may use for the following purposes:~~

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35 ~~board pursuant to Section 60200 for kindergarten and grades 1 to~~
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40 ~~performing arts, foreign language, health, or any other curricular~~

1 area if those materials are adopted by the state board pursuant to
2 Section 60200 for kindergarten and grades 1 to 8, inclusive, or by
3 the governing board pursuant to Section 60400 for grades 9 to 12,
4 inclusive, and if the school district certifies that it has provided
5 each pupil with a standards-aligned textbook or basic instructional
6 materials in reading/language arts, mathematics, history/social
7 science, and science.

8 (2) To purchase, at the district's discretion, instructional
9 materials, including, but not limited to, supplementary
10 instructional materials and technology-based materials, from any
11 source. Instructional materials purchased pursuant to this
12 paragraph shall meet the criteria specified by subdivision (c) of
13 Section 60200.

14 (3) To purchase tests.

15 (4) To bind basic textbooks that are otherwise usable and are on
16 the most recent list of basic instructional materials adopted by the
17 state board and made available pursuant to Section 60200.

18 (5) To fund in-service training related to instructional
19 materials.

20 (6) To purchase classroom library materials for kindergarten
21 and grades 1 to 4, inclusive.

22 (b) The state board shall specify the percentage of a district's
23 allowance that is authorized to be used for each of the purposes
24 identified in subdivision (a).

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37 the list of recommended books established pursuant to Section
38 19336. If a school library media teacher is not employed by the
39 school district, the district is encouraged to consult with a school

1 ~~library media teacher employed by the local county office of~~
2 ~~education in developing the plan.~~
3 ~~(3) To the extent that a school district or county office of~~
4 ~~education already has a plan meeting the criteria specified in~~
5 ~~paragraphs (1) and (2), no new plan is required to establish~~
6 ~~eligibility.~~

